

REMARKS

Favorable reconsideration of this application is respectfully requested.

Applicant notes that the Examiner has not rejected Claims 68-70, 72-91, and 94-99 of the present application based on any prior art references.

REJECTION UNDER 35 USC § 103

In response to the Examiner's rejection under 35 USC § 103 of Claims 71 and 92-93 as being unpatentable over the RCS Inc. article (hereinafter "RCS") in view of U.S. Patent No. 5,186,481 to Culbertson et al., Applicant respectfully traverses the rejection. In particular, in order to speed the prosecution of this matter, Applicant has canceled Claims 71 and 92-93. Therefore, it is respectfully requested that the Examiner withdraw his rejection.

DOUBLE PATENTING REJECTION

In response to the Examiner's rejection of Claims 68-99 under the judicially created doctrine of obviousness-type double patenting over Claims 1-10 of U.S. Patent No. 5,629,867, Applicant hereby submits a separate document which disclaims the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior U.S. Patent No. 5,629,867. Therefore, it is respectfully submitted that the double patenting rejection has been overcome and should be withdrawn.

CONCLUSION

Claims 68-70, 72- 91, and 94-99 of the application are allowable over the prior art cited by the Examiner for the reasons set forth above and it is respectfully requested that the Examiner withdraws his rejection of the claims of the application. In addition, Applicant has submitted a separate document disclaiming the terminal part of the statutory term of the above-identified patent application so that Applicant also respectfully requests that the Examiner withdraw his double patenting rejection. Therefore, Claims 68 - 70, 72 - 91, and 94 - 99 of the application are allowable and allowance of the application is respectfully requested.

Any fee due for this Amendment may be charged to Deposit Account No. 07-1896.

Respectfully submitted,

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